

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

JUNE 28 2005 P 1:14

05-10184 RCL

In the Matter of the Arbitration Between:)
)
ARGONAUT INSURANCE COMPANY)
)
Respondent (Plaintiff herein))
)
vs.)
)
FIRST STATE INSURANCE COMPANY)
)
Petitioner (Defendant herein))
_____)

RECEIPT # _____
AMOUNT \$ 150.00
SUMMONS ISSUED 1
Civil Action No. LOCAL RULE 4.1 _____
WAIVER FORM _____
MCF ISSUED _____
BY DPTY. CLK. M.P.
DATE 1/31/05

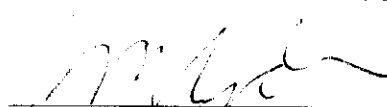
MOTION FOR AN ORDER CONFIRMING ARBITRATION AWARD AND FOR ENTRY OF JUDGMENT THEREON

Plaintiff Argonaut Insurance Company ("Argonaut") hereby moves, pursuant to the Federal Arbitration Act, 9 U.S.C. §§ 1, *et se.*, and M.G.L.A., 251 § 11, for an order confirming the final award of the Arbitration Panel appointed pursuant to the terms of the arbitration provisions contained in certain contracts between it and First State Insurance Company ("First State"), and which proceedings were conducted in accordance with the parties' agreements to submit to binding arbitration disputes arising under the contracts.

The bases of this Motion are fully set forth in the accompanying Petition, and the Memorandum in Support thereof, and the Declaration of Donald J. Buyck.

Respectfully submitted,

ARGONAUT INSURANCE COMPANY



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of January, 2005, a copy of the foregoing Motion for An Order Confirming Arbitration Award and for Entry of Judgment Thereon was forwarded, postage pre-paid, via First Class mail, to:

Lloyd A. Gura, Esquire
Mound Cotton Wollan & Greengrass
One Battery Park Plaza
24 Whitehall Street
New York, NY 10004
Counsel for First State Insurance Company

First State Insurance Company
c/o First State Management Group
150 Federal Street, 6th Floor
Boston, MA 02110
(via Certified Mail/Return Receipt Requested)



Kevin M. Roche
Counsel for Argonaut Insurance Company

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FOR THE DISTRICT OF MASSACHUSETTS

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ARGONAUT INSURANCE COMPANY)	
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Respondent (Plaintiff herein))	
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vs.)	Civil Action No.:
)	
FIRST STATE INSURANCE COMPANY)	
)	
Petitioner (Defendant herein))	
_____)	

ORDER AND JUDGMENT

On January _____, 2005, Argonaut Insurance Company ("Argonaut") moved the Court for an order confirming the July 20, 2004 final arbitration award ("the Arbitration Award") rendered by Arthur Brotter, Paul Walther, and Edmond Rondepierre, the Arbitration Panel selected by Argonaut and First State Insurance Company ("First State") pursuant to the Arbitration provisions of certain written reinsurance contracts between Argonaut and First State, and entering judgment thereon. The Court, having considered the motion, petition, declaration, memoranda, and exhibits submitted by Argonaut in support of its motion, hereby ORDERS that Argonaut's motion to confirm the Arbitration Award is granted, and that the July 20, 2004 Arbitration Award is confirmed.

It is SO ORDERED.

Dated: _____

United States District Judge

Copies to:

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